

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
AMENDMENT TRANSMITTAL**

In re Application of: Elsberry  
For: THERAPEUTIC METHOD FOR TREATMENT OF ALZHEIMER'S DISEASE  
Serial No.: 09/539,804  
Filed: March 30, 2000

**CERTIFICATE UNDER 37 CFR §1.8** I hereby certify that this Response and Transmittal and the paper(s), as described herein are being deposited with the United States Postal Service, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on this 31<sup>st</sup> day of May 2001.

  
\_\_\_\_\_  
Signature

Teresa D. Morgan

\_\_\_\_\_  
Printed Name

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

X RESPONSE Transmittal  
X RESPONSE  
X Return Postcard


Applicant hereby petitions for 3 months' extension of time. If an additional extension of time is required, please consider this petition therefor.

Please charge Deposit Account No. 13-2546 \$890.00 for extension of time for a **TOTAL OF \$890.00**

Please charge any additional fees or credits to Deposit Account No. 13-2546, which may have been overlooked on this Amendment Transmittal with regard to this filing. A duplicate of this transmittal is enclosed.

Date

5-31-2001

  
\_\_\_\_\_  
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Docket: P-3226.04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Elsberry ) Examiner: Unknown  
Serial No.: New Filing ) Art Unit: Unknown  
Filed: Herewith )  
For: THERAPEUTIC METHOD FOR TREATMENT OF ALZHEIMER'S DISEASE

## PRELIMINARY AMENDMENT

Assistant Commissioner for Patents  
Washington D.C. 20231

Dear Sir:

Please amend the above-identified application as follows:

### In the Claims

Please cancel claims 1-43, 46, 58-64 without prejudice or admission.

Please amend the following claims:

44. (Once Amended) A method of delivering indomethacin to a selected site within a hippocampus or lateral ventricle comprising steps of:

providing a catheter having a first tubular portion that has a first tubular portion lumen and a second tubular portion partially disposed within the first tubular portion lumen, wherein the step of providing a catheter having a first tubular portion that has a first tubular portion lumen includes the step of:

making the first tubular portion of a material that increases in diameter when heated;

adjusting the length of the second tubular portion extending from the first tubular portion lumen to conform to the dimensions of a selected site in a hippocampus or lateral ventricle, wherein the step of adjusting the length of the second tubular portion includes the steps of:

0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99

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